

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE	:	Bankruptcy No. 21-10194-TPA
	:	Chapter 13
Michael J. Colello, Jr.,	:	
Debtor	:	
	:	Docket No.: 44
Michael J. Colello, Jr.	:	
Movant	:	
	:	
vs.	:	
	:	
Ronda J. Winnecour, Esquire,	:	
Chapter 13 Trustee,	:	
Respondent	:	

**CONSENT ORDER FOR VEHICLE FINANCING**

NOW, this 23<sup>rd</sup> day of September 2022, upon an agreement reached by the Debtor and the Chapter 13 Trustee, as evidenced by signatures of counsel as set forth below, it is:

**ORDERED, ADJUDGED, and DECREED** that:

- the Debtor is authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:
  - the total amount of financing **shall not exceed \$25,000**; and
  - the monthly payment **shall not exceed \$400**.
- To the extent that the Debtor secures financing for the purchase of a vehicle, such payments must be incorporated into the Chapter 13 plan. Within (30) DAYS of securing such financing, Debtors shall file:
  - an amended chapter 13 plan; and
  - a report of financing shall be filed with this court, with the financing agreement attached as an exhibit
- To ensure the prompt and timely payment of the automobile loan, the Debtor shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of filing of the

report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending the confirmation of the amended plan.

4. The Trustee shall **immediately cease distributions to Santander Consumer USA D/B/A Chrysler Capital on the 2019 GMC Acadia in the current confirmed plan**, as it has been totaled and the balance of the loan has been addressed by insurance proceeds.
5. Pending confirmation of any amended plan providing for the new post-petition loan payments, the trustee is authorized to make monthly adequate protections payments to the post-petition automobile lender for the contract amount so long as sufficient supplemental funds are provided by the Debtor.
6. Notwithstanding the inclusion of the post-petition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the post-petition automobile lender.
7. Debtor shall serve copies of this *ORDER* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

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UNITED STATES BANKRUPTCY JUDGE

Consented to:

/s/ Daniel P. Foster

Daniel P. Foster, PA I.D. # 92376

Attorney for Debtors

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/s/ Katherine M. DeSimone

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